

CITY COUNCIL GENERAL PLAN AGENDA

SEPTEMBER 3, 2002

2002 SUMMER HEARING OF THE GENERAL PLAN

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER
GEORGE SHIRAKAWA, JR.
DAVID D. CORTESE
JOHN DIQUISTO
PAT DANDO

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Economic and Neighborhood Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Recreation and Cultural Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Aviation Services*** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

1. **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item/s that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
3. Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
4. To assist you in tracking your speaking time, there are three lights located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

- **Call to Order and Roll Call**
7:20 p.m. Public Hearings, Council Chambers, City Hall

Documents relating to the 2002 Annual Review of the General Plan will be available for inspection at the Press Table the evening of the meeting in the Council Chambers.

1 CONSENT CALENDAR

1.1 Public Hearing on General Plan Amendment for the property located at the easterly side of U.S. 101 and northerly of Metcalf Road on a 21.6-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Low Density Residential (5 DU/AC) on 17.9 acres and Non-Urban Hillside on 3.7 acres to Medium Density Residential (8-16 DU/AC) for property located at the easterly side of U.S. 101 and northerly of Metcalf Road on a 21.6-acre site. (Braddock & Logan Group, Owner/HMH, Inc., Applicant). CEQA: Pending.

GP 01-02-01 – District 2

(Continued from 8/21/01 – Item 2.3 et al., and 5/7/02 – Item 1.1)

Continued to December 3, 2002.

1 CONSENT CALENDAR

1.2 Public Hearing on General Plan Land Use and General Plan Text Amendments for the property located at the south side of East Santa Clara Street between Coyote Creek and 19th Street on a 1.74-acre site.

- (a) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from Medium High Density Residential (12-25 DU/AC) on 0.36 acre, General Commercial on 0.38 acre, and Public Park/Open Space on 1.0 acre to Transit Corridor Residential (20+ DU/AC) located at the south side of East Santa Clara Street between Coyote Creek and 19th Street on a 1.74-acre site. (Green Valley Enterprises, Owner/Applicant). CEQA: Negative Declaration.

GP 02-03-05 – District 3

Continued to December 3, 2002.

- (b) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to allow building heights of up to 150 feet for property located at the south side of East Santa Clara Street between Coyote Creek and 19th Street on a 1.74-acre site. (Green Valley Enterprises, Owner/Applicant). CEQA: Negative Declaration.

GPT 02-03-05 – District 3

Continued to December 3, 2002.

1 CONSENT CALENDAR

1.3 Public Hearing on General Plan Amendment for the property located on the northwest corner of Alum Rock and South Jackson Avenues on a 1.0-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from General Commercial to Transit Corridor Residential (20+ DU/AC) for property located on the northwest corner of Alum Rock and South Jackson Avenues on a 1.0-acre site. (Various, Owner/Staff, Applicant). CEQA: Housing Opportunity Study General Plan Amendments Phase II Final Environmental Impact Report, Resolution Number 71009.

GP 01-05-03 – District 5

(Continued from 11/6/02 – Item 1.27 et al., and 6/4/02 – Item 1.4)

Dropped.

1.4 Public Hearing on General Plan Amendment for the property located on the east side of U.S. Highway 101, at the terminus of South 31st Street on a 2.8-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from Light Industrial to High Density Residential (25-50 DU/AC) for property located at the east side of U.S. Highway 101, at the terminus of South 31st Street on a 2.8-acre site. (Down & James Hill; Didier DeGery, Owner/2100 Sand Hill Development, Applicant). CEQA: Pending.

GP 02-05-01 – District 5

Continued to December 3, 2002.

1.5 Public Hearing on General Plan Amendment for the property located at the north side of West San Carlos Street, between Willard and Buena Vista Avenues on a 3.9-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from General Commercial on 2.5 acres and Medium Low Density Residential (8 DU/AC) on 1.4 acres to Transit Corridor Residential (20+ DU/AC) for the property located at the north side of West San Carlos Street, between Willard and Buena Vista Avenues on a 3.9-acre site. (Various, Owners/Staff, Applicant). CEQA: Housing Opportunity Study General Plan Amendments Phase II Final Environmental Impact Report, Resolution Number 71009. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-0).

GP 01-06-10 – District 6

(Continued from 11/6/01 – Item 1.32 et al, and 6/4/02 – Item 2.13)

Continued to December 3, 2002.

1 CONSENT CALENDAR

- 1.6 Public Hearing on General Plan Amendment for the property located southeast of the intersection of Almaden Expressway and Curtner Avenue and north of the terminus of Rinconada Drive and Pebble Beach Drive on a 4.3-acre site.**

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from High Density Residential (25-50 DU/AC), Light Industrial, and Public/Quasi-Public to Transit Corridor Residential (20+ DU/AC) for property located southeast of the intersection of Almaden Expressway and Curtner Avenue and north of the terminus of Rinconada Drive and Pebble Beach Drive on a 4.3-acre site. (San José Scottish Rite Foundation, Owner/T/S Civil Engineering, Applicant). CEQA: Pending.

GP 02-06-03 – District 6

Continued to December 3, 2002.

- 1.7 Public Hearing on General Plan Amendment for the property located on the east side of Senter Road approximately 600 feet southerly of Needles Drive on a 21.7-acre site.**

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land/Use Transportation Diagram designation from Medium High Density Residential (12-25 DU/AC) (8.6 acres) and Public Park/Open Space (13.1 acres) to High Density Residential (25-50 DU/AC) (5.0 acres) and Public Park/Open Space (16.7 acres) for property located at the east side of Senter Road approximately 600 feet southerly of Needles Drive on a 21.7-acre site. (Carroll R.L. Trustee et. al., Owner/Silicon Valley Advisors, LLC, Applicant). CEQA: Pending.

GP 02-07-05 – District 7

Continued to December 3, 2002.

- 1.8 Public Hearing on General Plan Land Use and General Plan Text Amendment for the property located on the north side of Fowler Road and the terminus of Michelangelo Drive on a 4.6-acre site.**

- (a) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Campus Industrial and Public Park/Open Space and Realignment of Major Collector (60-90 feet) (Evergreen Planned Residential Community) located on the north side of Fowler Road and the terminus of Michelangelo Drive on a 4.6-acre site. (Various, Owner/Staff, Applicant). CEQA: Pending.

GP 02-08-01 – District 8

[Continued from 6/4/02 – Item 1.2(a)]

Continued to December 3, 2002.

1 CONSENT CALENDAR

1.8 Public Hearing on General Plan Land Use and General Plan Text Amendment for the property located on the north side of Fowler Road and the terminus of Michelangelo Drive on a 4.6-acre site. (Cont'd)

- (b) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to amend the text to reflect proposed changes to the Evergreen Specific Plan and realignment of Major Collector on 4.6 acres located on the north side of Fowler Road at the terminus of Michelangelo Drive on a 4.6-acre site. (Various, Owner/Staff, Applicant). CEQA: Pending.
GPT 02-08-01 – District 8
[Continued from 6/4/02 – Item 1.2(b)]
Continued to December 3, 2002.

1.9 Public Hearing on General Plan Text Amendment for the property located on the northeast corner of Aborn Road and Altamora Avenue on a 15.1-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to reflect a City Council adopted Planned Development Rezoning (PDC 02-013) to reduce the aggregate setback for a portion of site “AA” as identified within the Evergreen Specific Plan for property located on the northeast corner of Aborn Road and Altamora Avenue on a 15.1-acre site. (Alliance Title Company, Owner/Staff, Applicant). CEQA: Pending.
GPT 02-08-01b – District 8
Continued to December 3, 2002.

1.10 Public Hearing on General Plan Text Amendment for the property located at the north side of McKean Road, approximately 1,500 feet westerly of Fortini Road on a 41.5-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to amend the text to allow interim sports fields within the South Almaden Valley Urban Reserve on a 41.5-acre site for property located at the north side of McKean Road, approximately 1,500 feet westerly of Fortini Road. (San José Unified School District, Owner/City Council, Applicant). CEQA: Pending.
GPT 01-10-02 – District 10
[Continued from 11/6/01 – Item 1.37(a) et al., and 6/4/02, Item 1.3]
Continued to December 3, 2002.

2 PUBLIC HEARINGS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended, or speak to the question of deferring these or any other items, you should say so at this time.

2.1 Public Hearing on General Plan Amendment for the property located on the east side of South 10th Street, approximately 60 feet south of Keyes Street on a 0.3-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land/Use Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) to General Commercial for property located on the east side of South 10th Street, approximately 60 feet south of Keyes Street on a 0.3-acre site. (Dung Ha and Kieu Huynh, Owner/T Square Consulting Group, Inc., Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).
GP 01-03-10 – District 3

(Continued from 11/6/01 – Item 1.22 and 5/7/02 – Item 1.2)

Staff and Planning Commission recommendation tentatively approved.

Vote: 11-0-0-0.

2.2 Public Hearing on General Plan Land Use and Text Amendment for the property located on the southeast corner of Mission and 10th Streets on a 2.2-acre site.

(a) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram from Medium High Density Residential (12-25 DU/AC) (Jackson-Taylor Planned Residential Community) to High Density Residential (25-50 DU/AC) (Jackson-Taylor Planned Residential Community) for the property located on both sides of the southeast corner of Mission and 10th Streets on a 2.2-acre site. (Allied Containers Corporation, Owner/Kotansky Properties, Inc., Applicant). CEQA: Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-0).

GP 02-03-01 – District 3

[Continued from 6/4/02 – Item 2.4(a)]

Staff and Planning Commission recommendation tentatively approved. Vote: 11-0-0-0.

2 PUBLIC HEARINGS

2.2 Public Hearing on General Plan Land Use and Text Amendment for the property located on the southeast corner of Mission and 10th Streets on a 2.2-acre site. (Cont'd)

- (b) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to modify the text to reflect proposed changes to the Land/Use Transportation Diagram designation from Medium High Density Residential (12-25 DU/AC) (Jackson-Taylor Planned Residential Community) to High Density Residential (25-50 DU/AC) (Jackson-Taylor Planned Residential Community) for the property located on the southeast corner of Mission and 10th Streets on a 2.2-acre site. (Allied Containers Corporation, Owner/Kotansky Properties, Inc., Applicant). CEQA: Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommends approval (6-0-0).
GPT 02-03-01 – District 3
[Continued from 6/4/02 – Item 2.4(b)]
Staff and Planning Commission recommendation tentatively approved. Vote: 11-0-0-0.

2.3 Public Hearing on General Plan Land Use and Text Amendment for the property Bonita Avenue approximately 85 feet northerly of Herald Avenue on a 1.37-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land/Use Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) to High Density Residential (25-50 DU/AC) for property located on the east side of Bonita Avenue approximately 85 feet northerly of Herald Avenue on a 1.37-acre site. (Bonita Condos LLC, Owner/Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend No Change to the General Plan (6-0-1).

GP 02-03-06 – District 3

Council tentatively approved Medium High Density Residential (12-25 DU/AC) for property on the 1.37-acre site. Vote: 11-0-0-0.

2 PUBLIC HEARINGS

2.4 Public Hearing on General Plan Land Use and General Plan Text Amendment for the property located on the south side of Murphy Avenue west of Oyama Drive on a 0.2-acre site.

- (a) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land/Use Transportation Diagram designation from Medium Density Residential (8-12 DU/AC) (Berryessa Planned Residential Community) to Office located on the south side of Murphy Avenue west of Oyama on a 0.2-acre site. (Marvin and Merriame Cuaresma, Owner/H. Cuaresma, Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend No Change to the General Plan (6-0-1).

GP 02-04-01 – District 4

- (b) **Recommendation:** PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to reflect the proposed changes to the Berryessa Planned Residential Community located on the south side of Murphy Avenue west of Oyama Drive on a 0.2-acre site. (Marvin and Merriame Cuaresma, Owner/H. Cuaresma, Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend No Change to the General Plan (6-0-1).

GPT 02-04-01 – District 4

This Item was withdrawn by applicant.

2.5 Public Hearing on General Plan Amendment for the property located on the terminus of Evans Lane, south of the intersection of Almaden Expressway and State Route 87 on a 6.4-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land/Use Transportation Diagram designation from Light Industrial with Mixed Industrial Overlay to High Density Residential (25-50 DU/AC) and removal of the Mixed Industrial Overlay for property located on the terminus of Evans Lane, south of the intersection of Almaden Expressway and State Route 87 on a 6.4-acre site. (Evans Lane Apartments, Owner/Staff, Applicant). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GP 02-06-02a – District 6

Staff and Planning Commission recommendation tentatively approved.

Vote: 11-0-0-0.

2 PUBLIC HEARINGS

2.6 Public Hearing on General Plan Amendment for the property located on the east side of Evans Lane, approximately 800 feet northerly of Curtner Avenue on a 6.3-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land/Use Transportation Diagram designation from Light Industrial with Mixed Overlay to Transit Corridor Residential (20+ DU/AC) and removal of the Mixed Industrial Overlay for the property located at the east side of Evans Lane, approximately 800 feet northerly of Curtner Avenue on a 6.3-acre site. (Santa Clara County Transit District and City of San José, Owner/Department of Housing, Applicant).

CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend High Density Residential (25-50 DU/AC) and floating Public Park/Open Space designation (6-0-1).

GP 02-06-02b – District 6

Staff and Planning Commission recommendation High Density Residential (25-50 DU/AC) and floating Public Park/Open Space designation.

Vote: 11-0-0-0.

2.7 Public Hearing on General Plan Text Amendment for the property located on the southerly side of Curtner Avenue, on both sides of the future Communications Hill Boulevard (Communications Hill Planned Community) on a 60.2-acre site.

Recommendation: PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to amend the text to allow for exceptions to the 24 DU/AC minimum density on certain blocks within the Communications Hill Planned Residential Community on a 60.2-acre site. (MTA Properties & Curtner, Owner/Summerhill Homes, Applicant).

CEQA: Communications Hill Environmental Impact Report/Resolution Number 63624, Certified 4/7/92. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GPT 02-07-06 – District 7

Staff and Planning Commission recommendation tentatively approved.

Vote: 11-0-0-0.

2 PUBLIC HEARINGS

- 2.8 Public Hearing on General Plan Text Amendment for the property located northerly of Aborn Road, approximately 1,200 feet westerly of Murillo Avenue on a 15.1-acre site.**

Recommendation: PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to amend the text to allow for attached or detached single-family residential units for property located northerly of Aborn Road, approximately 1,200 feet westerly of Murillo Avenue on a 15.1-acre site. (Alliance Title Company & Maxxum Management Company, Owner/Summer Hill Homes, Applicant). CEQA: Evergreen Specific Plan Environmental Impact Report/Resolution Number 63179, Certified 7/2/91. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GPT 02-08-03 – District 8

Staff and Planning Commission recommendation tentatively approved.

Vote: 11-0-0-0.

- 2.9 Public Hearing on General Plan Amendment for the property located at the west side of Union Avenue, approximately 120 feet southerly of Woodard Road on a 0.56-acre site.**

Recommendation: PUBLIC HEARING ON GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Medium Density Residential (8 DU/AC) to General Commercial for the property located at the west side of Union Avenue, approximately 120 feet southerly of Woodard Road on a 0.56-acre site. (Kapadia Hitesh and Divya, Owner/MBA Architects, Applicant). CEQA: San José 2020 General Plan Final Environmental Impact Report, Resolution Number 65459, Certified 8/16/94. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval for an expanded 1.5-acre site (6-0-1).

GP 02-09-01 – District 9

Staff and Planning Commission recommendation tentatively approved

General Commercial for an expanded 1.5-acre site. Vote: 11-0-0-0.

- 2.10 Public Hearing on General Plan Text Amendment to the Housing Element of the General Plan and approval of the 2002-07 Five-Year Housing Investment Plan.**

Recommendation:

- (a) PUBLIC HEARING ON GENERAL PLAN TEXT AMENDMENT request to reflect additional changes to the Housing Element (Staff, Applicant). CEQA: San Jose 2020 General Plan Environmental Impact Report/Resolution Number 65459, Certified 8/18/94. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GP 02-T-03 – Citywide

Public hearing held.

Staff and Planning Commission recommendation tentatively approved. Vote: 11-0-0-0.

2 PUBLIC HEARINGS

2.10 Public Hearing on General Plan Text Amendment to the Housing Element of the General Plan and approval of the 2002-07 Five-Year Housing Investment Plan. (Cont'd)

Recommendation:

- (b) Adoption of a resolution delegating authority to the Director of Planning, Building and Code Enforcement to continue to work with the California Department of Housing and Community Development to bring the Housing Element of the San Jose 2020 General Plan into compliance with State housing element law. CEQA: San Jose 2020 General Plan Environmental Impact Report/Resolution Number 65459, Certified 8/18/94. (Planning, Building and Code Enforcement)

Resolution No. 71197 adopted.

- (c) Adoption of a resolution approving the 2002-07 Five-Year Housing Investment Plan. CEQA: Not a Project. (Housing)
(Referred from City Council Agenda 9/3/02 – Item 4.5)

Resolution No. 71198 adopted.

3 RECONSIDERATIONS

4 FINAL ACTIONS

- 4.1 Adoption of a resolution approving the City Council actions taken pertaining to those General Plan Amendments considered by the Council during the September 3, 2002 Hearing of the General Plan.**

Recommendation: Adoption of a resolution approving the City Council actions taken pertaining to those General Plan Amendments considered by the Council during the September 3, 2002 Hearing of the General Plan.

Resolution No. 71199 adopted.

Vote: 11-0-0-0.

- **Open Forum**
Doug McCusker, Lorilie McCusker and Tracie Stamp commented on card rooms.
- **Adjournment**
The Council of the City of San Jose adjourned the General Plan hearing at 8:33 p.m.

The next-scheduled hearing on the General Plan is December 3, 2002, at 7:00 p.m. in the City Council Chambers, City Hall, San José, CA.